

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KALOW & SPRINGUT, LLP, on	:	HONORABLE JOSEPH E. IRENAS
behalf of itself and others	:	CIV. ACTION NO. 07-3442 (JEI/AMD)
similarly situated,	:	
	:	
Plaintiff,	:	ORDER GRANTING PLAINTIFF'S
	:	RENEWED MOTION TO CERTIFY
v.	:	THE CLASS AS TO THE NEW
	:	JERSEY CONSUMER FRAUD ACT
COMMENCE CORPORATION,	:	CLAIM (Docket # 78)
	:	
	:	
Defendant.	:	

APPEARANCES:

COHN LIFLAND PEARLMAN HERRMANN & KNOPF LLP
By: Peter S. Pearlman, Esq.
Park 80 Plaza West One
Saddle Brook, New Jersey 07663

and

MILLER LAW LLC
By: Marvin A. Miller, Esq.
Matthew E. Van Tine, Esq.
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Counsel for Plaintiff

MARGOLIS EDELSTEIN
By: Bruce Barrett, Esq.
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Counsel for Defendant

IRENAS, Senior District Judge:

This matter having come before the Court upon Plaintiff's Renewed Motion for Class Certification of the New Jersey Consumer Fraud Act claim (Count II of the Amended Complaint), the Court having considered the submissions of the parties, and for the

reasons set forth in an Opinion issued on even date herewith, as well as the Court's prior Opinion dated February 28, 2011 (Docket Entry # 53), which findings of fact and conclusions of law are incorporated herein by reference, and for good cause appearing,

IT IS on this 7th day of December, 2012

ORDERED THAT:

Plaintiff's Renewed Motion to Certify the Class as to the New Jersey Consumer Fraud Act claim (Docket #78) is hereby

GRANTED. The Court hereby **CERTIFIES** the following class with respect to Count II of the Amended Complaint: "all of the networked users of Commence software who suffered damages when the software stopped working on March 20, 2006."

s/ Joseph E. Irenas
JOSEPH E. IRENAS, S.U.S.D.J.